

1 The Honorable Timothy W. Dore
2 Chapter 13
3 Hearing Date: July 16, 2025
4 Hearing Time: 9:30 AM
5 Location: United States Bankruptcy Court
6 Courtroom 8106
7 700 Stewart Street, 8th Floor
8 Seattle, WA 98101
9 Response date: July 16, 2025 order shortening time

10 UNITED STATES BANKRUPTCY COURT
11 FOR DISTRICT COURT FOR THE
12 WESTERN DISTRICT OF WASHINGTON
13 AT SEATTLE

14 In re:

15 MELISSA HUELSMAN,

16 Debtor,

17 Case No.: 25-11306-TWD

18 CHAPTER 13

19 INTERESTED PARTY POMAIKAI,
20 LLC'S RESPONSE OPPOSING
21 ASSIGNMENT OF REDEMPTION AND
22 SALE OF PROPERTY

23 Comes now Pomaikai, LLC, through its attorneys Seth Goodstein and ROI Law Firm,
24 PLLC. Pomaikai is the purchaser of the property located at 7525 28th Ave SW, Seattle, WA
25 98126 ("Premises") at a duly conducted, confirmed, sheriff's sale, respectfully submits this
response in opposition to the Debtor's pending Motion to Approve Sale of Real Property and
Motion to Approve Assignment of Redemption Rights.

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1 Both motions to assign and sell are moot because the statutory redemption period—as
2 extended under 11 U.S.C. § 108(b)—expired on July 14, 2025, without redemption having
3 occurred. This fully vested Pomaikai, LLC with non-defeasible title to the property and
4 mandates immediate issuance of the sheriff’s deed to Pomaikai, LLC. Since redemption is
5 strictly and uniformly enforced, there is no need to inquire further.

6 On July 11, the Debtor and Pomaikai entered into and filed a stipulated order so that
7 Pomaikai, LLC can finalize the sale on or after July 15, 2025. This order reflects the legal
8 finality of redemption and the sale to Pomaikai.

9 To the extent the Court is holding the hearing to see if Pomaikai, LLC would like to
10 authorize the assignment and sale by agreement Pomaikai respectfully declines.

12 **II. BACKGROUND FACTS**

13 **1. Foreclosure and Sale**

14 A Judgment and Decree of Foreclosure was entered against the Premises in King County
15 Superior Court Case No. 23-2-00469-8 SEA. A sheriff’s sale was held on April 5, 2024, at which
16 Pomaikai, LLC was the successful bidder. The Court entered a confirmation of sale and
17 disbursement order on June 18, 2024.

18 **2. Redemption Period and Extensions**

19 All Parties agree that Debtor filed this Chapter 13 on May 14, 2025, the last day of
20 redemption, triggering the further 60-day extension under 11 U.S.C. § 108(b). Thus, the final
21 redemption deadline became Monday, July 14, 2025.

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POMAIKAI, LLC RESPONSE RE STAY AND
ASSIGNMENT - 2

ROI LAW FIRM PLLC
1302 North 1 Street, Ste. C
Tacoma, WA 98403
Tel: (253) 753-1530
Fax: (253) 753-1532

1 **3. Redemption Did Not Occur**

2 Neither the Debtor, nor anyone working with the Debtor, tendered the redemption price
3 to the King County Sheriff by July 14, 2025.

4 **4. Legal Finality of Sale**

5 The redemption has expired and title is final. Pomaikai, LLC is entitled to its Sheriff's
6 Deed under RCW 6.21.120, having paid \$505,000 at the confirmed sale and with the Debtor's
7 opportunity to redeem extinguished.

8 **5. Relief from Stay Filed and Resolved by Agreement**

9 On June 25, 2025, Pomaikai, LLC filed a Motion for Relief from Stay scheduled for
10 hearing on July 16, 2025, after the redemption period expired, seeking leave to finalize the sale if
11 the Premises had not been redeemed. Ecf. No. 18. A response was received and the hearing was
12 confirmed, both timely. Ecf. No. 31 & Dkt. The Debtor and Pomaikai later stipulated to relief
13 from stay and uploaded an agreed order to that effect. Ecf. No. 32 & Dkt. In reliance on the
14 agreement, the Court struck the hearing on relief from stay. Dkt.

16 **III. LEGAL ARGUMENT**

17 The Debtor's motions to assign and sell must be denied as moot because redemption
18 rights are extinguished. Under RCW §§ 6.23.010 and 6.23.020, redemption must occur strictly
19 within the statutory period. The assignment of redemption is further subject to strict
20 requirements and the Washington State real estate statute of frauds. *Fidelity Mut. Sav. Bank v.*
21 *Mark*, 112 Wash. 2d 47, 53, 767 P.2d 1382 (1989), cases cited. See also RCW §§ 6.23.080(2)(b)
22 & 64.040.010. The sale has already been confirmed, and the purchaser's rights are now vested
23 and a deed shall issue "immediately" upon expiration of redemption. RCW § 6.21.120 & *In re*
24

1 *Sharp*, 666 B.R. at 917–18 (B.A.P. 2025). “Shall” denotes a mandatory outcome. Courts lack
2 discretion in this context: “At best, such debtors may extend the time to redeem their property for
3 60 days under § 108(b).” *In re Sharp*, 666 B.R. at 922. *Sharp* “agree[d] with [In re Richter, 525
4 B.R. 735, 749 (Bankr. C.D. Cal. 2015)] and adopt[ed] its reasoning to dispose of the instant
5 appeal”. *Richter* holds that redemption (and, logically, assignment of redemption rights) must be
6 completed within the strict time limits set by statute. 666 B.R. at 917.

7

IV. CONCLUSION

8 Because the redemption period expired without actual or legally effective redemption,
9 Debtor’s motions are moot and should be denied. The court should:

10

- 11 1. Deny the Motion to Approve Sale of Real Property;
- 12 2. Deny the Motion to Approve Assignment of Redemption Rights;
- 13 3. Sign the Agreed order on relief from stay.

14 DATED this 25th day of June, 2025.

15

ROI LAW FIRM, PLLC

16 By: /s/ Seth Goodstein
17 Seth Goodstein, WSBA # 45091
18 ROI Law Firm, PLLC
19 1302 North I Street
20 Tacoma, WA 98403
Telephone: 253-753-1530
Fax: 253-753-1532
Attorneys for Pomaikai, LLC

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POMAIKAI, LLC RESPONSE RE STAY AND
ASSIGNMENT - 4

ROI LAW FIRM PLLC
1302 North I Street, Ste. C
Tacoma, WA 98403
Tel: (253) 753-1530
Fax: (253) 753-1532

Certificate of Service

I served the foregoing Response, Proposed Order Denying Assignment and Proposed Order Denying Sale on the following individuals by electronic means through the Court's ECF program, the mailing matrix is attached:

Trustee:
Jason Wilson-Aguilar
US Trustee
Debtor
ECF Participants

And by US Mail, postage prepaid to:
Melissa Huelsman
7525 28TH AVE SW, SEATTLE, WA 98126

All additional Mailing Matrix opt-out parties, if any.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 15th day of July, 2025 at Tacoma, Washington.

ROI LAW FIRM, PLLC

/s/ Seth Goodstein
Seth Goodstein

POMAIKAI, LLC RESPONSE RE STAY AND
ASSIGNMENT - 5

ROI LAW FIRM PLLC
1302 North I Street, Ste. C
Tacoma, WA 98403
Tel: (253) 753-1530
Fax: (253) 753-1532

Label Matrix for local noticing
0981-2
Case 25-11306-TWD
Western District of Washington
Seattle
Tue Jul 15 16:14:18 PDT 2025

CITICARDS CBNA
PO BOX 6190
SIOUX FALLS, SD 57117-6190

BANK OF AMERICA
PO BOX 982238
EL PASO, TX 79998-2238

Citibank N.A.
Citibank, N.A.
5800 S Corporate Pl
Sioux Falls, SD 57108-5027

CAPITAL ONE BANK USA
PO BOX 31293
SALT LAKE CITY, UT 84131-0293

Kyle A Forsyth
US Attorney's Office - WDMA
700 Stewart St, Ste 5220
Seattle, WA 98101-4438

Seth Goodstein
ROI Law Firm, PLLC
1302 North I Street, Ste. C
Tacoma, WA 98403-2143

Melissa Huelsman
7525 28th Ave SW
Seattle, WA 98126-3314

Internal Revenue Service
central insolvency operations
PO Box 7346
Philadelphia, PA 19101-7346

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o National Bankruptcy Services, LLC
P.O. Box 9013
Addison, Texas 75001-9013

King County Sheriff
516 3rd Ave W - 116
Seattle, WA 98119

Erin Lane
Washington Law Group
16000 Christensen Rd
Suite 304
Tukwila, WA 98188-2967

MACYS/CITIBANK NA
PO BOX 8218
MASON, OH 45040-8218

Pomaikai LLC
3004 199TH AVE CT E
Lake Tapps, WA 98391-9024

Pomaikai LLC
3004 199th Ave Ct E
Bonney Lake, WA 98391-9024

THD/CBNA
PO BOX 6497
SIOUX FALLS, SD 57117-6497

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

United States Trustee
700 Stewart St Ste 5103
Seattle, WA 98101-4438

Verizon
by AIS InfoSource LP as agent
PO Box 4457
Houston, TX 77210-4457

(p)JASON WILSON AGUILAR
600 UNIVERSITY ST STE 1300
SEATTLE WA 98101-4102

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

U.S. BANK
4325 17TH AVE S
FARGO, ND 58125

(d)U.S. Bank National Association
Bankruptcy Department
PO Box 108
Saint Louis MO 63166-0108

Jason Wilson-Aguilar
600 University St #1300
Seattle, WA 98101

(d)Jason Wilson-Aguilar
600 University St #1300
Seattle, WA 98101

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Forrest Moody	(u)United States of America	End of Label Matrix
		Mailable recipients 19
		Bypassed recipients 2
		Total 21